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Dated: April 28, 2005

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[Signature]
(Kevin M. Kocun, Patent Agent)

ocket No.: SPINE 3.0-455 CIP CONT III
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zubok et al.

Application No.: 10/781,506

Group Art Unit: 3738

Filed: February 18, 2004

Examiner: Not Yet Assigned

For: INSTRUMENTATION AND METHODS FOR
USE IN IMPLANTING A CERVICAL DISC
REPLACEMENT DEVICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. A copy of each reference is enclosed. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: April 28, 2005

Respectfully submitted,

By *[Signature]*
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PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/781,506
				Filing Date	February 18, 2004
				First Named Inventor	Rafail Zubok
				Art Unit	3738
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	SPINE 3.0-455 CIP CONT III

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-2001/0007073-A1	07-05-2001	Zucherman et al.	
	AB	US-2001/0010001-A1	07-26-2001	Michelson	
	AC	US-2001/0012938-A1	08-09-2001	Zucherman et al.	
	AD	US-2001/0020170-A1	09-06-2001	Zucherman et al.	
	AE	US-2003/0028249-A1	02-06-2003	Baccelli et al.	
	AF	US-2003/0060886-A1	03-27-2003	Van Hoeck et al.	
	AG	US-2003/0074064-A1	04-17-2003	Gerbec et al.	
	AH	US-2003/0109928-A1	06-12-2003	Pasquet et al.	
	AI	US-2003/0125748-A1	07-03-2003	Li et al.	
	AJ	US-2003/0149482-A1	08-07-2003	Michelson	
	AK	US-2003/0216744-A1	11-20-2003	Longhini et al.	
	AL	US-2003/0233097-A1	12-18-2003	Ferree	
	AM	US-3,486,505	12-30-1969	G. M. Morrison	
	AN	US-4,997,432	03-05-1991	Keller	
	AO	US-5,122,130	06-16-1992	Keller	
	AP	US-5,314,477	05-24-1994	Marnay	
	AQ	US-5,676,701	10/1997	Yuan et al.	
	AR	US-5,683,464	11-04-1997	Wagner et al.	
	AS	US-5,720,751	02-24-1998	Jackson	
	AT	US-5,782,830	07-21-1998	Farris	
	AU	US-6,066,174	05-23-2000	Farris	
	AV	US-6,093,207	07-25-2000	Pisharodi	
	AW	US-6,096,080	08-01-2000	Nicholson et al.	
	AX	US-6,113,602	09-05-2000	Sand	
	AY	US-6,113,638	09-05-2000	Williams et al.	
	AZ	US-6,159,215	12-12-2000	Urbahns et al.	
	AA1	US-6,174,311	01-16-2001	Branch et al.	
	AB1	US-6,179,873-B1	01-30-2001	Zientek	
	AC1	US-6,179,874	01/2001	Cauthen	
	AD1	US-6,224,607	05-01-2001	Michelson	
	AE1	US-6,241,769-B1	06-05-2001	Nicholson et al.	
	AF1	US-6,319,257	11-20-2001	Carignan et al.	
	AG1	US-6,428,544	08-06-2002	Ralph et al.	
	AH1	US-6,436,102	08-20-2002	Ralph et al.	
	AI1	US-6,461,359-B1	10-08-2002	Tribus et al.	
	AJ1	US-6,478,796-A1	11-08-2001	Zucherman et al.	
	AK1	US-6,478,800	11-12-2002	Fraser et al.	
	AL1	US-6,524,312-B2	02-25-2003	Landry et al.	
	AM1	US-6,540,785-B1	04-01-2003	Gill et al.	
	AN1	US-6,652,533-B2	11-25-2003	O'neil	
	AO1	US-6,666,866-A1	12-12-2002	Martz et al.	
	AP1	US-6,716,245-B2	04-06-2004	Pasquet et al.	

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FOREIGN PATENT DOCUMENTS							
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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)					

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